

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE JUDICIARY COMMITTEE**

**Date:** Thursday, February 5, 2009  
**Place:** Capitol

**Time:** 8:00 am  
**Room:** 137

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 308, SB 103

\_\_\_\_\_  
\_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 295 (DPAA) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COMMENTS:**

  
\_\_\_\_\_  
REP. Ron Stoker, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**JUDICIARY COMMITTEE**

DATE: 2/5/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Peterson	X	
Rep. Kottel	X	
Rep. Kerns	X	
Rep. Sands		X
Rep. Bennett	X	
Rep. MacDonald	X	
Rep. More	X	
Rep. Ebinger	X	
Rep. Wagner	X	
Rep. Becker	X	
Rep. Driscoll	X	
Rep. Regier	X	
Rep. McClafferty	X	
Rep. Howard	X	
Rep. Blewett	X	
Rep. Warburton	X	
Rep. Menahan	X	
Rep. Stoker		X



## HOUSE STANDING COMMITTEE REPORT

February 5, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 295** (first reading copy – white) do pass as amended.

Signed: \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Ron Stoker", is written over a horizontal line.

*Representative Ron Stoker, Chair*

And, that such amendments read:

1. Page 2, line 7.

**Following:** "relevant"

**Insert:** "unless the evidence is determined to be inadmissible pursuant to Rule 403 of the Montana Rules of Evidence"

2. Page 3, line 1.

**Following:** "relevant"

**Insert:** "unless the evidence is determined to be inadmissible pursuant to Rule 403 of the Montana Rules of Evidence"

3. Page 3, line 22.

**Following:** "relevant"

**Insert:** "unless the evidence is determined to be inadmissible pursuant to Rule 403 of the Montana Rules of Evidence"

- END -

**Committee Vote:**

**Yes 13, No 5**

Fiscal Note Required ☐

HB0295001SC.hjd

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 2/5/09 BILL NO. HB 295 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

DO PASS HB 295 as amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson		X	
Deborah Kottel	X		X
Krayton Kerns		X	
Diane Sands	X		
Gerald Bennett	X		
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger	X		
Bob Wagner		X	
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett	X		
Wendy Warburton	X		
Mike Menahan	X		
Ron Stoker		X	X

13

5

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Peterson

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

HB 295	<del>✓</del>	✓
amend. HB029501.adn	✓	
HB 308 (to		✓
prove an amendment)		

BILL/AMENDMENT                      AYE      NO


Rep.

Paul Stokes

(Signature)

Date

2-5-09

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Judiciary  
Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Andrea Becker

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

HB 295	✓	
amend HB 295 01. add		
HB 308		
(to pursue an amendment)	✓	

BILL/AMENDMENT                      AYE      NO


Rep. LA Kuntz  
(Signature)

Date 2-5-09

**Montana House of Representatives  
Visitors Register**

**JUDICIARY COMMITTEE**

Date 2/5/09

Bill No. HB 308 Sponsor(s) Rep. Avgera

**PLEASE PRINT**

**PLEASE PRINT**

**PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
<i>See Roster</i>		<input checked="" type="checkbox"/>		
<i>Non-Profit</i>	<i>W.F. Municipal Court</i>	<input checked="" type="checkbox"/>		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives  
Visitors Register

JUDICIARY COMMITTEE

Date

2/5/09

Bill No.

SB 103

Sponsor(s)

Sen. Moss

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Name and Address	Representing	Support	Oppose	Inf.
Mark Mattioli	Attorney General	✓		
Ben Alsbury	Doc	✓		
Att. General	Attorney General Scottie	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.